

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

## Record of Electronic Meeting Tuesday 9 February 2016

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Stuart McDonald and Dave Walker and Michael Edgar

**Apologies:** None

**Declarations of Interest:** None

### Determination and Statement of Reasons

2015SYW092 - The Hills Shire Council, 1397/2015/JP, Masterplan – Box Hill North, 33 Properties generally bound by Cataract Road, Old Pitt Town Road, Red Gables Road, Janpieter Road, Maguires Road & Terry Road, Box Hill Lot 1 DP 11126, Lot 1 DP 207750, Lot 1 329953; Lot 1 DP 564211, Lot 1 DP 567785, Lots 9 & 10 DP 593517, Lots 15-18, 21, 22, 23, 25, 26, 27, 29, 30, 31, 40, 41, 43, 44, 45, 46, 47 DP 255616, Lots 2 & 3 DP 11126, Lots 2 & 4 DP 253552, Lot 4 DP 135301, Lot 5 DP 658286.

**Date of determination:** 09 February 2016

### Panel consideration:


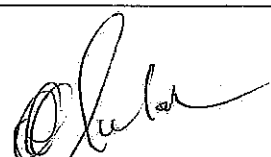

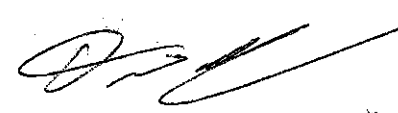
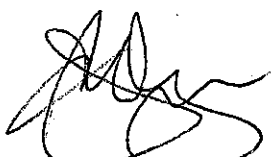
The panel considered: the matters listed at item 6, the material listed at item 7 and listed at item 8 in Schedule 1.

### Reasons for Panel Decision:

1. The proposal will facilitate the future provision of a residential community including a variety of forms of housing, community facilities and retail services consistently with the planned use of the site.
2. The design guidelines and specific development management strategies when applied to later stages of development together with the requirements of the Office of Environment and Heritage will assist to ensure the development of the land will produce no unacceptable environmental impacts.

**Conditions:** The development application was approved subject to conditions recommended with the Council Assessment Report.

### Panel members:

 <b>Mary-Lynne Taylor</b>	 <b>Bruce McDonald</b>	 <b>Stuart McDonald</b>
 <b>Dave Walker</b>	 <b>Michael Edgar</b>	

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1	
1	<b>JRPP Reference – 2015SYW092, LGA – The Hills Shire Council, DA/1397/2015/JP</b>
2	<b>Proposed development:</b> Masterplan – Box Hill North.
3	<b>Street address:</b> 33 Properties generally bound by Cataract Road, Old Pitt Town Road, Red Gables Road, Janpieter Road, Maguires Road & Terry Road, Box Hill Lot 1 DP 11126, Lot 1 DP 207750, Lot 1 329953, Lot 1 DP 564211, Lot 1 DP 567785, Lots 9 & 10 DP 593517, Lots 15-18, 21, 22, 23, 25, 26, 27, 29, 30, 31, 40, 41, 43, 44, 45, 46, 47 DP 255616, Lots 2 & 3 DP 11126, Lots 2 & 4 DP 253552, Lot 4 DP 135301, Lot 5 DP 658286.
4	<b>Applicant/Owner:</b> Cellestino (Formally EJC Pty Ltd)
5	<b>Type of Regional development:</b> Pursuant to Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979, the development has a capital investment value of more than \$20 million.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>SEPP (State and Regional Development) 2011</li> <li>SEPP Infrastructure 2008</li> <li>SEPP No. 19 Bushland in urban areas</li> <li>SEPP No. 55 Remediation of Land</li> <li>State Environmental Planning Growth Centres 2006</li> <li>The Hills Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>The Hills Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Regulations: <ul style="list-style-type: none"> <li>Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>The suitability of the site for the development.</li> <li>Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> At the meeting on 16 December 2015, the Panel determined, by majority of 4:1 (M Taylor, B McDonald, S McDonald and M Edgar, D Walker dissenting) to defer determining the development application as described in Schedule 1 pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> until concurrence was provided by the Office of Environment and Heritage and a longer & expanded report was provided to include the following additional information: <ul style="list-style-type: none"> <li>A description of any physical works to be approved in this application;</li> <li>A fuller explanation of the extend of investigation into environmental matters;</li> <li>A fuller explanation of the investigation into the individual elements of the Strategy referred to in this report;</li> <li>An explanation of the implications of approval of this application upon sites within the application area not owned by the application.</li> </ul> <p>This information was requested to the prior of next meeting of the panel.</p> <p>Mr Walker dissented to the deferral of the application as he believed that the application should not be further delayed because of a failure of the Office of Environment and Heritage to provide their response and in the circumstances he would prefer the matter to be decided by a deferred commencement consent.</p> <p>Further Council assessment report with recommended conditions.</p>
8	<b>Meetings and site inspections by the panel:</b> 16 December 2015 – Final Briefing Meeting 22 January 2016 to 9 February 2016 - Electronic Determination
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Conditions attached to council assessment report